

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

UNITED STATES OF AMERICA,

-vs-

BRIAN RATIGAN

Plaintiff,

Defendant.

**Case No. 2:97-CR-0066-WFN-1
CRIMINAL MINUTES**

DATE: JUNE 24, 2020

LOCATION: SPOKANE

RESENTENCING HEARING

		Hon. Wm. Fremming Nielsen			
Joanna L. Knutson Courtroom Deputy		Heather Foe Law Clerk		Crystal L. Hicks Court Reporter	
Joseph H. Harrington Government Counsel			Robert M. Seines Defense Counsel		
United States Probation Officer: Sean E. Carter					

[X] Open Court

[] Chambers

[] Telecon

Defendant present in custody of United States Marshal with appointed counsel. Initial comments by Court advising he had reviewed all documents filed in preparation of the resentencing, including the Amended Presentence Investigation Report and the two Addendums, as numerous letters in support of the Defendant and Defendant's own Statements to the Court and to the Victims.

The Court noted the Government's four objections to the PSR are now moot due to the amended PSR prepared by Probation Officer Carter. Mr. Harrington agreed the Government's objections were moot. The Court ruled on Defendant's objections to the PSR. The Court confirmed with defense counsel that the Defendant had the opportunity to review the Amended PSR and further queried Defendant as to whether he had any objections other than that already discussed; Defendant indicated he did not. The Court accepted the Presentence Investigation Report.

Counsel addressed the Court with their respective recommendations for resolution of the matter. Defendant addressed the Court. The Court determined the applicable Guideline range. Sentence imposed as follows:

Imprisonment: **Time Served** as to Counts 1s, 6s, 8s, and 9s
Supervised Release: **5 Years** as to Count 8s and **3 Years** as to Counts 1s, 6s, and 9s; all terms to run **concurrent with one another**. With mandatory, standard, and **special conditions** as follows:

- Full financial disclosure to Probation Officer as requested
- Do not incur any new debt, open lines of credit or enter into any financial contracts without advance Probation Officer approval
- Mental health evaluation and treatment/counseling, if recommended
- Search of person, vehicle and residence
- Substance abuse evaluation and treatment/counseling, if recommended
- Cooperate in the collection of DNA as directed by Probation Officer

Fine: Waived

CONVENED: 9:00 A.M.	ADJOURNED: 10:20 A.M.	TIME: 1:20 HR.	CALENDARED [N/A]
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Restitution: **\$118,394.72 Total** (less any previous payments) Joint and several with Verne Jay Merrell, 2:96-CR-0257-WFN-1; Charles Harrison Barbee, 2:96-CR-0258-WFN-1; and Robert Sherman Berry, 2:96-CR-0259-WFN-1.

Special Assessment: \$ **400.00**

Appeal rights given.